IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

Bail Appl..No. 1830 of 2007()

CRIME NO. 306 OF 2007 OF KARUNAGAPPALLY POLICE STATION

PETITIONER

SAINUDEEN KUNJU (A1),
S/O.ABDUL RAHMAN KUNJU, PULLIYIL VEEDU,
VATTAPARAMBU THAZHAVA, PULIYOOR NORTH MURI,
THODIYOOR VILLAGE, KARUNAGAPPALLY, KOLLAM DISTRICT

BY ADV. SRI.A.MOHAMMED

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1830 of 2007

DATED: 27-03-2007

O R D E R

Petitioner who is the first accused in Crime No. 306 of 2007 of Karunagappally Police Station for an offence punishable under Section 5 (a) of the Kerala Rationing Order, 1966 read with Sec. 3 and 6 of the Essential Commodities Act, 1955 for allegedly storing 129 bags of wheat and 73 bags of rice on 14-03-2007 without the valid permit or license seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 2-4-2007 and 4-4-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the petitioner shall be produced on the same day before the Magistrate concerned. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

ani